

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Oswald et al.

Application No.: 10/709,391

Confirmation No.: 3390

Filed: April 30, 2004

Art Unit: 2435

For: DISTRIBUTED SYSTEM AND
METHODOLOGY FOR DELIVERY OF
MEDIA CONTENT

Examiner: S. Debnath

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

I hereby certify, pursuant to 37 CFR 1.97(e)(2), that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Applicants note that an Office Action has been received in a related, copending application. In particular, Office Action for the U.S. Patent Application No. 10/709,392 (Attorney Docket No. 57429-8004) was mailed on May 11, 2009. A copy of this Office Actions is available through the Patent Application Information Retrieval (PAIR) system. If the Examiner so requests, Applicants will provide the Examiner with a copy of this Office Action.

Copies of the references on the PTO/SB/08 are not provided.

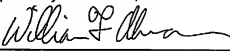
This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information that may be material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2207, under Order No. 57429-8003.US01.

Dated: June 16, 2009

Respectfully submitted,

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